

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

UNITED STATES OF AMERICA

Plaintiff,

v.

CASE NO. 3:21-CR-49-02

DIANA TOEBBE,

Defendant.

DEFENDANT'S SUPPLEMENTAL PROFFER FOR DETENTION HEARING

COMES NOW the Defendant, Diana Toebe, by counsel, and submits the following supplemental proffer to the Court in connection with the United States' motion for detention in the above-captioned action:

1. At the detention hearing on October 20, 2021, the Government proffered that electronic and/or GPS monitoring would be unavailable if Mrs. Toebe were released pending trial to reside in her home in Annapolis, Maryland.

2. Following the hearing, Mrs. Toebe's counsel contacted the FPD for the District of Maryland to determine the availability of pretrial electronic and/or GPS monitoring in that jurisdiction. According to the FPD, GPS and every option of monitoring remotely is available. Further, the FPD indicated such monitoring has been an even more common tool during the pandemic. Lastly, the FPD was unaware of anyone successfully escaping from such monitoring.

Wherefore, the Defendant respectfully requests that the deny the United States' motion for detention and release her pending trial to reside in her home in Annapolis, Maryland, subject to electronic and/or GPS monitoring and any other conditions that the Court deems appropriate.

DEFENDANT
BY COUNSEL

/s/ Barry P. Beck

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CERTIFICATE OF SERVICE

I, Barry P. Beck, counsel for Defendant, hereby certify that on the 21st day of October, 2021, the foregoing **DEFENDANT'S SUPPLEMENTAL PROFFER FOR DETENTION HEARING** was electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ Barry P. Beck
Barry P. Beck